

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated April 19, 2010. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 17-32 are pending in the Application. Claims 17, 20 and 25 are independent claims.

In the Office Action, claim 25 is objected to because of informalities. In response the antecedent basis of the term "one or more computing devices" is corrected in accordance with the Examiner's suggestions. Accordingly, withdrawal of the objection to claim 25 is respectfully requested.

In the Office Action, claims 17-32 are rejected under 35 U.S.C. §112, first paragraph. This rejection of claims 17-32 is respectfully traversed. In a first portion of the Office Action, the Office Action basically objects to the use of the term "unaware". It is respectfully submitted that the Applicants used this term to convey that the claims set out authenticating external media content downloaded from the server without knowledge of the authenticity of the server itself. While it is true that the specification does not use the term "unaware", however, the specification makes very clear that its objective is to authenticate the downloaded external media content and discusses in some detail why this is preferred to trusting the server (e.g., see, present application, page 2, lines 1-19). However, in the interest of expediting consideration and allowance of the pending claims, the Applicants have elected to replace all the instances of the term "unaware" with "independent". As is clear from the specification, such as for example, paragraph [0007],

which makes clear that (illustrative emphasis added) "[i]f above contents stored on the web by disc content provider is not authenticated, the content could be easily modified by others (e.g. a hacker, pirate or advertising agency), with the URLs still corresponding to the URLs listed in the URLs list stored on the disc, thereby enabling the player to play the downloaded contents, which is quite possible to cause damage to the player and the contents on the disc, resulting in great trouble to the user." Further, paragraphs [0008]-[0009] make further arguments for authenticating the content independent of the "content provider or a third party". It is respectfully submitted that the present application makes clear that the downloaded content is authenticated independent of any authentication of the server that may or may not have occurred. The claims are further amended to address the concerns raised in the Office Action. Regarding claim 32, the claim is amended to address the concerns raised by the Office Action. Accordingly, it is respectfully submitted that claims 17-32 are in proper form and it is respectfully requested that this rejection under 35 U.S.C. §101, be withdrawn.

In the Office Action, claims 17, 18, 20, 22, 24, 25, 27-29, 31 and 32 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. Publication No. 2004/0001697 to Kumbayashi ("Kumbayashi") in view of U.S. Patent 6,470,085 to Uranaka ("Uranaka"). Claim 19 is rejected under 35 U.S.C. §103(a) over Kumbayashi in view of Uranaka and further in view of U.S. Patent No. 5,754,648 to Ryan ("Ryan"). Claims 21 and 26 are rejected under 35 U.S.C. §103(a) over Kumbayashi in view of Uranaka and further in view of U.S. Patent Publication No. 2002/0073316 to Collins ("Collins"). Claims 23 and 30 are rejected under 35 U.S.C. §103(a) over Kumbayashi in view of Uranaka and further in view

of U.S. Patent Publication No. 2004/0126095 to Tsumagari ("Tsumagari"). These rejections of the claims are respectfully traversed. It is respectfully submitted that claims 17-32 are allowable over Kumbayashi in view of Uranaka alone and in view of Ryan, Collins, and Tsumagari for at least the following reasons.

It is respectfully submitted that authentication of a server is not the same as authentication of external media content downloaded from the server. In prior systems, while the server might be authentic, external media content residing on it might be compromised (e.g., see, present application, paragraphs [0007]-[0009]). Therefore, in accordance with the present system, the external media content of the server is authenticated independent of any authentication of the server that may or may not be performed. The present system is directed to authentication of the downloaded external media content, not the server or its URL at which such external media content resides. (E.g., see page 4, lines 3-11 of the present application).

It is undisputed that Kumbayashi does not teach, disclose or suggest a "public key provided on an optical disk on which the media content is stored" or "a control system to verify the authenticity of the downloaded external media content using the public key read-out from the optical disk before the stored media content is played in coordination with the associated downloaded external media content" as for example recited in claim 20. (See, Office Action, page 6, fourth paragraph). The Office Action references Uranaka at cols. 6, 7, 8, and 12 to provide that which is admitted missing from Kumbayashi, however, it is respectfully submitted that reliance on these portions of Uranaka or any portions for that matter is misplaced.

As explained above, the claims of the present application set out authenticating external media content downloaded from the server and are unrelated to authenticating the server. In contrast, Uranaka describes a **server public key**, e.g., distribution descriptor 23 recorded in the burst cutting area of the DVD, (see, Uranaka, col. 12, lines 12-15) for verifying authenticity of a specific server. Moreover, as stated in Kumbayashi, paragraphs [0216] and [0239], Kumbayashi uses "a public key P_k corresponding to the secret key S_k of the server" not corresponding to external media content.

Furthermore, independent claims are amended to substantially recite "each external media content having an added private key". A discussion of this is found in the present application, for example at page 2, lines 7-9 and page 5, 16-19. Kumbayashi, Uranaka, Ryan, Collins, and Tsumagari do not teach, disclose, or suggest a private key added to the external media content that is being authenticated.

It is respectfully submitted that the system of claim 20 is not anticipated or made obvious by the teachings of Kumbayashi in view of Uranaka. For example, Kumbayashi in view of Uranaka do not teach, disclose or suggest, (illustrative emphasis added) "a network interface to download one or more external media content, each external media content having an added private key and is associated with the at least one stored media content, the one or more external media content provided on one or more computing devices distributed on a network; and a control system to verify the authenticity of the downloaded external media content using the public key read-out from the optical disk before the stored media content is played in coordination with the associated downloaded external media content, wherein the authenticity of the external media content is verified independent of

the authenticity of the one or more computing devices on which the external media content is provided" as recited in claim 20 and as similarly recited in each of claims 17 and 25.

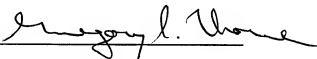
Ryan, Collins, and Tsumagari are introduced for allegedly showing elements of the dependent claims and as such, do not cure the deficiencies in Kumbayashi in view of Uranaka.

Based on the foregoing, the Applicants respectfully submit that independent claims 17, 20 and 25 are patentable over Uranaka in view of Tsumagari and notice to this effect is earnestly solicited. Claims 18-19, 21-24 and 26-32 respectively depend from one of claims 17, 20 and 25 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicants
July 6, 2010

THORNE & HALAJIAN, LLP

Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101

Please direct all inquiries and correspondence to:

Michael E. Belk, Reg. 33,357
Philips Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
(914) 333-9643